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Press Release

May 16, 2003

**West Virginia Supreme Court of Appeals Holds That Trial
Court Applied Wrong Legal Standard When Denying Attorney General's Request For Injunction Against TeleCheck.**

The West Virginia Supreme Court of Appeals issued an opinion on May 16, 2003 upholding the Attorney General's appeal from the denial of a temporary injunction against TeleCheck Services, Inc. of Houston, Texas. The Attorney General sued TeleCheck in December, 2000 seeking to enjoin TeleCheck from engaging in a wide ranged of alleged unlawful debt collection and consumer credit reporting practices. However, on May 17, 2001, the Circuit Court of Kanawha County, Charleston, West Virginia, denied the Attorney General's request for injunction for the reason that the Attorney General "failed to prove that TeleCheck was engaging in a pattern or practice of violating the Act."

The Attorney General appealed the ruling, arguing that the trial court applied the wrong legal standard in denying the temporary injunction. In its opinion, the Supreme Court sided with the Attorney General and held that the trial court applied the wrong legal standard and vacated the trial court's ruling. The Supreme Court also held that it had the inherent power from the West Virginia Constitution to hear appeals from interlocutory orders by circuit courts relating to preliminary and temporary injunctive relief, therefore rejecting TeleCheck's contention that the Attorney General's appeal was premature. As a result of this opinion, the Attorney General's suit against TeleCheck has been remanded for a final hearing on the merits of its request for permanent injunctive relief.

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